

REMARKS

Claims 3-8 and 10 are pending in the present application, of which claim 3 is the sole independent claim. Claims 3 has been amended by rewriting it as an independent claim incorporating the limitations of claims 1 and 2, and claims 8 and 10 to correct their dependency. Claims 1, 2 and 9 have been canceled.

Claims 1-10 were rejected under 35 U.S.C. §103(a) over Modebelu et al. (U.S. Pat. No. 6,217,621; hereinafter "Modebelu") in view of Barbe et al. (WO 90/11403; hereinafter "Barbe"), and claims 3-7 and 10 over Modebelu and Barbe, and further in view of Ellis et al. Applicants respectfully traverse these rejections.

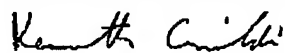
The Office Action cites Column 3, lines 17-26 of Modebelu as teaching ratios of (moles bisulfite·moles hydroxide)/moles borohydride of 4.8 to 8.8. Applicant respectfully submits that, in the bisulfite·borohydride ratio of Modebelu, the amount of bisulfite is the actual amount of available bisulfite ion in solution, i.e., the amount of bisulfite remaining after some is consumed by hydroxide. This is evident from the cited description in Modebelu, which states that "8 moles of the bisulfite are required for each mole of the borohydride" (emphasis added), and calls for a "stoichiometric excess of the bisulfite." To accomplish this, the amount of hydroxide must be subtracted from the total amount of sodium bisulfite prior to calculating the ratio, so that the 8:1 ratio of Modebelu is the ratio between bisulfite ions and borohydride ions that actually exist in solution. If one starts with 8 moles of sodium bisulfite for every mole of borohydride, and there is considerable hydroxide added with the borohydride, one will not have the required stoichiometry of 8:1 bisulfite ion·borohydride ion. For example, Modebelu states that use of 12% sodium borohydride stabilized with 40% NaOH "requires an additional 3.2 moles of the bisulfite for each mole of borohydride used" (emphasis added). This is shown in the equation from page 3, lines 16-17 of the present specification. Therefore, Modebelu not only does not suggest the below-stoichiometric ratio recited in the present claims, but in fact teaches away from it by stressing that at least stoichiometric amounts are "required", and the rejection should be withdrawn.

Claims 1 and 2 were rejected over claims 1 and 4 of U.S. Pat. No. 7,029,554 in view of Modebelu, and provisionally rejected over claims 1 and 2 of copending Application No. 10/832,182 in view of Barbe, for obviousness-type double patenting. Cancellation of claims 1 and 2 in this Amendment has rendered these rejections moot.

Applicants believe that the foregoing amendments and remarks have placed the claims in condition for allowance, and request that the claims be allowed and passed to issue. However, if the Examiner has any further objections to the application, Applicants respectfully request that the Examiner contact Applicants' undersigned attorney by telephone at (847) 649-3891 to discuss the remaining

issues.

Respectfully submitted,



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